

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

TIME WARNER CABLE INFORMATION)
SERVICES (HAWAII), LLC)

DOCKET NO. 04-0135

For a Certificate of Authority to)
Provide Local and Long Distance)
Internet Protocol Voice Services.)

DECISION AND ORDER NO. 21427

Filed Oct. 22, 2004
At 2 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

RECEIVED
2004 OCT 25 A 8:54
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
TIME WARNER CABLE INFORMATION)
SERVICES (HAWAII), LLC)
For a Certificate of Authority to)
Provide Local and Long Distance)
Internet Protocol Voice Services.)

Docket No. 04-0135
Decision and Order No. **21427**

DECISION AND ORDER

I.

Introduction

TIME WARNER CABLE INFORMATION SERVICES (HAWAII), LLC ("Applicant") requests a certificate of authority ("COA") to provide intrastate telecommunications services within the State of Hawaii (the "State").¹ Applicant makes its request pursuant to Hawaii Administrative Rules ("HAR") § 6-80-17(c).

Applicant served two (2) copies of its Application to the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate"). On July 22, 2004, the Consumer Advocate filed its Preliminary Statement of Position informing the commission that it is still investigating this matter, and "has questions and concerns regarding the implications of Applicant's proposed services on Hawaii's telecommunications market and whether such services should be

¹Applicant's Application, filed on June 2, 2004 ("Application").

subject to regulatory oversight." Therefore, it will state its position upon the completion of its investigation.

On July 8, 2004, the Consumer Advocate issued information requests ("IRs") relating to the instant application for COA. Applicant filed its responses to the Consumer Advocate's IRs on July 30, 2004 with the exception of certain subsections of CA-IR-5 deemed to be confidential by Applicant.

On August 8, 2004, the commission issued Protective Order No. 21220, and Applicant thereafter submitted its response to the confidential portions of CA-IR-5, pursuant to Protective Order No. 21220.

On September 15, 2004, the Consumer Advocate filed its Final Statement of Position stating that it does not object to approval of the Application, subject to certain qualifications.²

II.

A.

Description of Applicant

Applicant is a member-managed Delaware limited liability company authorized to do business in the State as a foreign limited liability company. Its principal place of business is in Stamford, Connecticut. Time Warner Entertainment Company, L.P., dba Oceanic Time Warner Cable ("Time Warner Cable"), which provides cable services in Hawaii, owns one

²The Consumer Advocate raises various concerns and recommendations in its Final Statement of Position relating to Applicant's proposed tariff, which are discussed in more detail in Section III., below.

hundred per cent (100%) of the membership interest of Applicant. Applicant is also affiliated with Time Warner Communications of Hawaii, L.P., dba Oceanic Communications, which presently holds a certificate of public convenience and necessity in the State to provide intrastate telecommunications services.³

B.

Proposed Services

Applicant intends to provide intrastate telecommunications services within the State as a reseller and facilities-based carrier.⁴ Specifically, Applicant intends to provide local and long distance Internet Protocol ("IP") voice services (aka, Voice over Internet Protocol or VOIP) targeted to Hawaii customers who reside in Oceanic Time Warner Cable's Road Runner service areas. In the provisioning of these services, Applicant will also be utilizing Time Warner Cable's cable television plant and facilities, as well as its own facilities and equipment.⁵

³See, Decision and Order No. 14145, filed on August 17, 1995, in Docket No. 94-0093.

⁴Applicant's Application is silent as to whether it seeks to provide intrastate telecommunications services as a reseller or as a facilities-based carrier. However, based on Applicant's Application and proposed tariff describing the type of services and equipment to be employed and Applicant's affirmative response to the Consumer Advocate's information request as to whether Applicant should be "considered to be a facilities-based provider," we will treat the Application as a request for a COA to provide intrastate telecommunications services within the State as a reseller and facilities-based carrier. See also, Applicant's July 30, 2004 Response to CA-IR-2.

⁵Applicant's July 30, 2004 Response to CA-IR-2a.

Initially, Applicant plans to market its services solely to residential customers, and these services will be offered on a flat-rate basis for local and domestic long distance calls. In the provisioning of these services, Applicant's customers will be able to call and be called by other IP voice subscribers of Applicant. Applicant's IP voice service subscribers will also have access to the public switched telephone network ("PSTN"), and, thus, will be able to call and be called by anyone connected to the PSTN.

Applicant represents that it will also provide operator services, directory assistance, white page directory lists, enhanced 911 services, outbound 800 toll free calling, international calls, local number portability and access to telecommunications relay services.

III.

A.

COA

Upon review of the application, the commission makes the following findings pursuant to HAR § 6-80-18(a):

1. Applicant possesses sufficient technical, financial, and managerial resources and abilities to provide the proposed services;

2. Applicant is fit, willing, and able to properly perform the telecommunications services and to conform to the terms, conditions, and rules prescribed or adopted by the commission; and

3. Applicant's proposed telecommunications services are in the public interest.

Accordingly, the commission concludes that Applicant should be granted a COA to provide intrastate telecommunications services as a reseller and facilities-based carrier.

B.

Proposed Tariff

In its Final Statement of Position, the Consumer Advocate provides six (6) recommended revisions to Applicant's proposed tariff. Based on the commission's review of the Consumer Advocate's recommended revisions, we find its six (6) recommended revisions to the proposed tariff to be reasonable and necessary. The commission also has its own concerns and recommended revisions.

Thus, we conclude that Applicant's proposed tariff should be revised as follows:

1. To avoid any Customer confusion, "Standard Cable television service" referred to in Section 1.2. (Original Page 10) should be further defined to describe what is included in "Oceanic Time Warner Cable Basic and Value Services";
2. Consistent with HAR §§ 6-80-102 and 6-80-107, Section 2.8.3 (Original Page 27) should be amended by inserting the following language:

"If the Customer is unable to resolve the dispute with the Company, the Customer may contact the Hawaii Public Utilities Commission at the following address and telephone and facsimile numbers:

Hawaii Public Utilities Commission
465 South King Street, Room 103
Honolulu, Hawaii 96813
Telephone: (808)586-2020
Facsimile: (808)586-2066"

3. Section 2.8.4 (Original Page 28) should be amended consistent with the requirements set forth in HAR § 6-80-106. Specifically, this section should be amended to reflect the fact that service may be discontinued for "[n]onpayment for a past due bill not in dispute." See, HAR § 6-80-106(b)(1).
4. Consistent with HAR § 6-80-105, Section 2.9 (Original Page 28) should be amended to include the following new language:

"The Company may require the Customer to make a cash advance to guarantee payment of bills for service until credit is established. The deposit may not exceed two (2) times the average monthly bill. In addition, the cash advance shall be returned to the Customer within thirty (30) days of the Customer's establishing credit. If returned within thirty (30) days, interest on the deposit need not be paid. If the deposit is not returned within thirty (30) days, simple interest

on the deposit at the rate of at least six percent (6%) per year will be paid from the date of the establishment of the credit until: (1) The deposit is returned; (2) Service is terminated; or (3) Notice is sent to the Customer's last known address that the deposit is no longer required."

5. "Standard Cable Programming Services Tier" referred to in Section 4.1.2 (Original Page 39) should be defined or described in detail.
6. The Busy Line Verification and Emergency Interrupt rates in Section 4.1.5 (Original Page 41) appear excessive or unreasonable. These rates should be amended to be comparable with the market rates in Hawaii. As asserted by the Consumer Advocate, Verizon Hawaii Inc.'s current rates for these services are \$0.55 and \$1.05, respectively. See also, *In re Operator Service Company*, Docket No. 03-0385, Decision and Order No. 20842 (March 9, 2004).
7. Section 4.3 (Original Page 45) should be amended to read, in relevant part, as follows: "From time to time, [without further] upon prior approval of the Public Utilities Commission, the Company may, through tariff changes filed in accordance with HAR §§ 6-80-39 and 6-80-40, elect to offer promotional programs that shall waive, for a specified period of time not to exceed six (6)

months, in whole or in part (1) any installation fee and/or (2) any recurring or nonrecurring fees for any services other than local voice service or intrastate toll service." (New text underscored; deleted text bracketed.)

C.

Waiver of Certain Regulatory Requirements

Through its response to CA-IR-4, Applicant further requests that the commission waive certain requirements of Hawaii Revised Statutes ("HRS") § 269-16, to the extent it calls for rate base regulation, and HAR § 6-80-35(a), to the extent that Applicant is required to submit "cost studies or other evidence that the costs of the fully or partially competitive services or nonjurisdictional services are not subsidized by the noncompetitive (local) service."

HRS § 269-16.9(e) and HAR § 6-80-135 permit the commission, upon its own motion or upon the written request of any person or telecommunications carrier, to waive regulatory requirements applicable to telecommunications providers if we determine that competition will serve the same purpose as public interest regulation. We decline to waive any regulatory requirements applicable to Applicant at this time because we do not find anything in the record to substantiate to the commission's satisfaction that the waiver of certain regulatory requirements is in the public interest or that competition will serve the same purpose as public interest regulation, pursuant to

HRS 269-16.9 and HAR § 6-80-135. Moreover, we view Applicant's response to CA-IR-4 as an inappropriate means to request for waivers. Accordingly, if Applicant continues to seek waivers of certain regulatory requirements, we find it in the public interest to require Applicant to file a new and separate application on this matter to provide the public, at the very minimum, appropriate notice of such request, and to allow any person the opportunity to request for commission approval to intervene in such proceeding according to our applicable administrative rules. The new and separate application should also contain sufficient information and data to justify the granting of such waivers in accordance with HRS 269-16.9 and HAR § 6-80-135.

IV.

Orders

THE COMMISSION ORDERS:

1. Applicant is granted a COA to provide intrastate telecommunications services in the State as a reseller and facilities-based carrier.

2. As the holder of a COA, Applicant shall be subject to all applicable provisions of HRS chapter 269, HAR chapters 6-80 and 6-81, any other applicable State laws and commission rules, and any orders that the commission may issue from time to time.

3. Applicant shall file its tariffs in accordance with HAR §§ 6-80-39 and 6-80-40. Applicant's tariffs shall

comply with the provisions of HAR chapter 6-80. In the event of a conflict between any tariff provision and State law, State law shall prevail.

4. Applicant shall conform its initial tariff to the applicable provisions of HAR chapter 6-80 by, among other things, incorporating the tariff revisions set forth in section III.B. of this decision and order. An original and eight (8) copies of the initial tariff shall be filed with the commission, and two (2) additional copies shall be served on the Consumer Advocate. Applicant shall ensure that the appropriate issued and effective dates are reflected in its tariffs.

5. Within thirty (30) days from the date of this decision and order, Applicant shall pay a public utility fee of \$60, pursuant to HRS § 269-30. The business check shall be made payable to the Hawaii Public Utilities Commission, and sent to the commission's office at 465 S. King Street #103, Honolulu, HI, 96813.

6. Within thirty (30) days from the date of this decision and order, Applicant shall also pay a telecommunications relay service ("TRS") contribution of \$10.00, established pursuant to: (A) Act 50, adopted on May 7, 2003 (codified at HRS § 269-16.6); and (B) Order No. 20149, filed on June 10, 2004, in Docket No. 04-0070. (A copy of Order No. 20149 is attached hereto as Exhibit 1.) The business check shall be made payable to "Hawaii TRS", and sent to the Hawaii TRS Administrator, NECA Services, Inc., 80 S. Jefferson Road, Whippany, NJ 07981. Written proof of payment shall be sent to the commission.

7. Failure to promptly comply with the requirements set forth in paragraphs 3 to 6 may constitute cause to void this decision and order, and may result in further regulatory action, as authorized by law.

DONE at Honolulu, Hawaii OCT 22 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By Wayne H. Kimura
Wayne H. Kimura, Commissioner

By Janet E. Kawelo
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Kris N. Nakagawa
Kris N. Nakagawa
Commission Counsel
04.0135.oc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
PUBLIC UTILITIES COMMISSION)
)
Instituting an Investigation)
into the Carrier Contribution)
Factor and Telecommunications)
Relay Services Fund Size for)
the period of July 1, 2004)
through June 30, 2005.)
_____)

DOCKET NO. 04-0070

ORDER NO. 21049

Filed June 10, 2004

At 2:01 o'clock P.M.

Bronlee Kane

for

Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)	
PUBLIC UTILITIES COMMISSION)	Docket No. 04-0070
Instituting an Investigation)	Decision and Order No. 21049
into the Carrier Contribution)	
Factor and Telecommunications)	
Relay Services Fund Size for)	
the period of July 1, 2004)	
through June 30, 2005.)	
_____)	

DECISION AND ORDER

I.

Background

By Order No. 20904, filed on April 15, 2004, the commission initiated the instant proceeding to examine whether to modify the Telecommunications Relay Services ("TRS") carrier contribution factor and fund size for the period July 1, 2004 to June 30, 2005, established in accordance with Order No. 20193, filed on May 23, 2003, in Docket No. 03-0058 ("Order No. 20193").¹ Specifically, the commission proposes to modify the carrier contribution factor from 0.00375 to 0.0010 effective on July 1, 2004 ("Proposed Carrier Contribution Factor"). The proposed carrier contribution factor of 0.0010 is expected to remain in effect through June 30, 2005.

¹In Docket No. 03-0058, the commission selected SPRINT COMMUNICATIONS CO., LP. ("Sprint") as the exclusive provider of intrastate TRS within the State of Hawaii ("State of Hawaii") from July 1, 2003 to June 30, 2006. See Decision and Order No. 20163, filed on April 30 2003. Order No. 20193, filed on May 23, 2003, in Docket No. 03-0058.

The commission also proposes to keep the projected TRS fund size, as of July 1, 2004, at \$680,000 ("Proposed TRS Fund Size").

The commission served copies of Order No. 20904 on The Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate") and Sprint, the parties to this proceeding, and mailed copies of Order No. 20904 to all chartered, certificated and registered telecommunications carriers, except payphone providers, at their mailing addresses on file with the commission. Written comments to the proposals were accepted until May 14, 2004. As of the date of this order, only the Consumer Advocate filed written comments on the commission's proposals.²

II.

Background

On May 23, 2003, the commission issued Order No. 20193, in Docket No. 03-0058 which, among other things, ordered: (1) every telecommunications carrier providing intrastate telecommunications service in the State of Hawaii to contract with Sprint for the provision of telecommunications relay service, for the period beginning July 1, 2003 to June 30, 2006; (2) every carrier providing intrastate telecommunications service in Hawaii shall contribute to the TRS fund on the basis of gross operating revenues from the retail provision of intrastate telecommunications services during the preceding calendar year,

²Consumer Advocate's Statement of Position, filed on May 7, 2004.

consistent with the terms of Order No. 20193³; (3) contributors' contribution to the TRS fund shall be the product of their gross operating revenue from the retail provision of intrastate telecommunications services during the preceding calendar year, which is subject to investigation by the commission, and a contribution factor determined annually by the commission, consistent with the terms of Order No. 20193; and (4) the annual TRS funding period commences July 1 and ends June 30 of each year.

III.

Discussion

A.

Consumer Advocate's Statement of Position

The Consumer Advocate states that it has no objections to the Commission's proposed carrier contribution factor and the fund size. However, in order to monitor the sufficiency of the fund size and protect against degradation of service, the Consumer Advocate recommends that Sprint should be required to provide TRS reports on a quarterly basis so that the commission may be better and more quickly able to determine whether changes to the contribution factor are warranted. Specifically, the Consumer Advocate recommends that the reports contain: (1) actual number of TRS calls offered by month; (2) actual number of abandoned calls by month; (3) average speed of answer

³The commission specifically excluded payphone providers from contributing to the TRS fund.

in seconds of TRS calls by month; (4) average work time in seconds by month; (5) number of TRS complaints filed either verbally or in writing by month; and (6) detailed data on actual revenues, expenses and investments for TRS services in Hawaii.

B.

Reporting Requirements

Upon review, the commission declines to adopt the Consumer Advocate's recommendation relating to additional reporting requirements primarily because we find these requirements are unnecessary and redundant.

Pursuant to the terms and conditions of the Request for Service ("RFS") in Docket No. 03-0058, which governs the commission's arrangement with Sprint for the provisioning of TRS, Sprint is required to submit the following reports:

- a. Section 4.5 (Payment): "No more than fifteen days after the close of each month, the service provider will submit a report [i.e., billing statement] to the Commission detailing the previous month's work. Then, the Commission, within thirty (30) days of receipt of said report, will authorize or determine a date the provider is authorized to withdraw payment from the TRS account or fund. Total reimbursement shall not exceed the total fixed bid per minute price."
- b. Section 4.13 (Reports): "[A] monthly report with the monthly billing statement which will enable the Commission to monitor whether the Relay service is meeting each of the FCC and State performance standards. The report shall also include summary information on complaints, when appropriate. When applicable, the monthly report should include information on any hardware procedural or service enhancements made to the Relay service. After receiving authorization from the Commission, the selected service provider may request designation of certain written reports as proprietary, consistent with the Commission's practice and procedures."

In compliance with Section 4.5 of the RFS, NECA Services, Inc. ("NECA") files on a monthly basis: (1) a Statement of Fund Performance; and (2) a Delinquent Report. The information includes total fund revenues collected from telecommunications carriers, disbursements to Sprint as authorized by the commission, fund balance as of the end of the previous month, and delinquent carriers that have not paid their TRS fund contributions.

Furthermore, in compliance with Section 4.13 of the RFS, Sprint provides comprehensive, detailed information on minutes of use; traffic reporting statistics, including number of calls offered and abandoned, average speed of answer, and average work time; speech-to-speech statistics; and CapTel results. The billing statement also includes summary reporting of customer complaints and outreach efforts.

The commission notes that the Consumer Advocate has not been copied on any of these reports previously filed with the commission and we hereinafter will require Sprint to copy the Consumer Advocate on these reports going forward. Sprint's existing reports contain much of the information the Consumer Advocate appears to be seeking. The only type of information not included in Sprint's reports is specific investment information, however, we do not believe that that information needs to be included in the compliance reports.⁴

⁴As Sprint has already been doing, it should continue to keep the commission informed, and seek our approval as appropriate, on new investments it plans to make to its network or operations that are expected to impact TRS in Hawaii. Sprint should also keep the Consumer Advocate informed of these new investments.

C.

Carrier Contribution Factor and Fund Size

Upon further review, the commission finds it reasonable to adopt the commission's proposals to modify the existing carrier contribution factor and fund size in their entirety as stated in Order No. 20904. In particular, the carrier contribution factor for the period July 1, 2004 to June 30, 2005 is 0.0010 and the projected TRS fund size as of July 1, 2004 will be established at \$680,000.

III.

Orders

THE COMMISSION ORDERS:

1. The commission's proposed modifications to the existing contribution factors and fund size, as stated in Order No. 20904, is adopted in their entirety.

2. The contribution factor for the period July 1, 2004 to June 30, 2005 is 0.0010. The projected TRS fund size as of July 1, 2004 is \$680,000.

3. Each carrier shall complete and submit a TRS Reporting Worksheet, attached to this Order as Exhibit "A".

4. Annual contributions are due July 26th; carriers who owe contributions \$1,200 or more may pay in twelve equal monthly installments, due on the 26th of each month, provided that they submit their TRS Reporting Worksheet by July 26th.

5. For carriers reporting \$10,000 or less in gross intrastate retail revenues, they shall contribute at least \$10.00 for the period July 1, 2004 to June 30, 2005.


6. Every carrier, except Commercial Mobile Radio Service ("CMRS") providers, shall comply with the 30-day notice requirement of HRS § 269-16(b) and HAR § 6-80-40(b) for any TRS surcharge imposed on its customers, both residential and business, to recover the amount of its contribution. CMRS providers shall place information on their TRS surcharges on their websites, consistent with Decision and Order No. 20890, filed on April 7, 2004, in Docket No. 02-0186.

7. Sprint shall copy the Consumer Advocate on the following reports to the commission: (1) Statement of Fund Performance; (2) Delinquent Report; and (3) TRS Performance Information and Statistics.

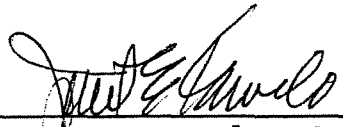
8. Order No. 20193, filed on May 23, 2003, in Docket No. 03-0058, is amended consistent with the terms and conditions of this decision and order. In all other respects, Order No. 20193 remains unchanged.

DONE at Honolulu, Hawaii this 10th day of June, 2004.

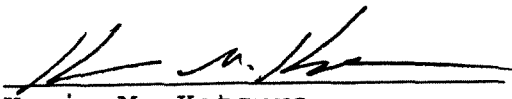
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Kevin M. Katsura
Commission Counsel

04-0070.eh

State of Hawaii
Public Utilities Commission
Telecommunications Relay Services
Carrier Remittance Worksheet
For the Period July 1, 20__ - June 30, 20__

SECTION A		CARRIER IDENTIFICATION
Date:		
Company Name:		
Mailing Address:		
Email Address:		

SECTION B		REMITTANCE CALCULATION
1. Gross Revenues (Prior Calendar Year) <small>(e.g., Current year is 2004; Report revenues from 2003)</small> <small>(Amount should match gross revenues reported for Hawaii PUC Fee purposes, HRS § 269-30)</small>		
2. Less: Revenue Adjustments (describe, see Section E)	< >	
3. Gross Intrastate Retail Revenues		
4. Hawaii TRS Contribution Factor	.001	
5. Gross Hawaii TRS Assessment (line 3 x line 4)		
6. Greater of line 5 or \$10.00 (minimum due)		
<p>If Line 6 is less than \$1,200, this is your annual contribution to the TRS Fund for the period beginning July 1st of the current year to June 30th of the following year. Please pay the amount on line 6, in full, by July 26th of the current year. Send your remittance with a copy of this worksheet to the address listed below.</p> <p>If Line 6 is \$1,200 or more, continue to line 7 below.</p>		

SECTION C		MONTHLY CONTRIBUTION
7. Divide line 6 by 12		
<p>Line 7 is your first monthly contribution to the TRS Fund, for the period beginning July 1st of the current year to June 30th of the following year. Send your 1st monthly remittance with a copy of this worksheet to the address listed below. Please pay the amount on line 7 by July 26th. NECA Services, Inc. will then send you a bill for the remaining eleven monthly payments.</p>		

SECTION D				CERTIFICATION
<p>Under penalties as provided by law, I certify that I am duly authorized to verify the foregoing information contained herein and that the information is true and correct to the best of my knowledge and belief.</p>				
Date	Officer Name	Officer Signature	Officer Title	
Date	Contact Name	Contact Phone	Contact Title	

<p style="text-align: center;">Questions???</p> <p style="text-align: center;">Hawaii TRS Administrator NECA Services, Inc. 80 S. Jefferson Road Whippany, NJ 07981 Phone (973) 884-8011 Fax (973) 599-6504</p>	<p style="text-align: center;">Make checks payable to "Hawaii TRS" and send with worksheet to: Attn: Hawaii TRS Administrator NECA Services, Inc. 80 S. Jefferson Road Whippany, NJ 07981</p>
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SECTION E DETAILS CONCERNING REVENUE ADJUSTMENT(S)

If revenue adjustment(s) are not explained here, amounts deducted will be disallowed and proposed assessments may be prepared against you.

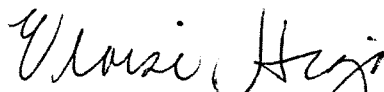
Describe amounts deducted from Gross Revenues to obtain Gross Intrastate Retail Revenues (list):	Amount
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
TOTAL	

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21049 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

MAGGIE SCHOOLAR
GOVERNMENT ACCOUNT EXECUTIVE
SPRINT COMMUNICATIONS
1321 Rutherford Lane, Suite 120
Austin, TX 78753





Karen Higashi

DATED: June 10, 2004

CERTIFICATE OF SERVICE

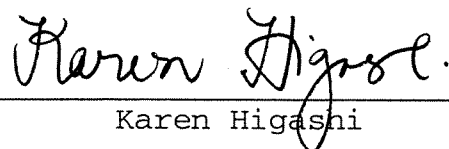
I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21427 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

J. DOUGLAS ING, ESQ.
PAMELA J. LARSON, ESQ.
WATANABE ING KAWASHIMA & KOMEIJI LLP
999 Bishop Street, 23rd Floor
Honolulu, HI 96813

Attorneys for TIME WARNER CABLE INFORMATION SERVICES
(HAWAII), INC.

JULIE Y. PATTERSON, ESQ.
TIME WARNER CABLE
ASSISTANT GENERAL COUNSEL
290 Harbor Drive
Stamford, CT 06902



Karen Higashi

DATED: OCT 22 2004